

**CITY OF NEWARK  
DELAWARE  
COUNCIL MEETING AGENDA**

**February 27, 2017 – 6:00 P.M. – CC**

**MOTION TO ENTER EXECUTIVE SESSION**

**EXECUTIVE SESSION**

- A. Executive Session pursuant to 29 Del. C. §10004 (b)(9) for the purpose of the discussion of personnel matters in which the names, competency and abilities of individual employees are discussed – City Manager

*(Executive Session to conclude at 7:00 p.m. with Council meeting to resume immediately after. Council may continue Executive Session after the conclusion of the agenda of the regular business meeting.)*

**RETURN TO PUBLIC SESSION**

- A. Potential vote on City Manager compensation for 2017

**SILENT MEDITATION & PLEDGE OF ALLEGIANCE**

- \*1. **PUBLIC PRESENTATIONS:** None

2. **ITEMS NOT ON PUBLISHED AGENDA:**

- A. Public (3 minutes per speaker)
- B. Elected Officials who represent City of Newark residents or utility customers
- C. University
  - (1) Administration (5 minutes per speaker)
  - (2) Student Body Representative(s) (5 minutes per speaker)
- D. Lobbyist
- E. City Manager
- F. Council Members

(PUBLIC COMMENT – Public comment is a time for individuals to speak before Council. Individuals are limited to three minutes each in public comment for items not on the published agenda. Individuals also are limited to three minutes per agenda topic for items on the published agenda that are open to public comment. These time limits may be extended by the chair upon the request of a Council member. Individuals wishing to make public comment in either category should sign in on the list provided at the entrance of the Council chamber prior to the start of the meeting. At the appropriate time, individuals who have signed up for public comment will be called forward to the podium by the chair of the meeting to speak. Thereafter other members of the public may request to be recognized by the chair. Individuals should approach the podium, state their name and information about their residence (address or council district and/or non City of Newark residents), and commence with their comments. Please be sure to speak into the microphone so your comments are recorded. Once you have completed your comments, please be seated. If you choose to cede your time for public comment to another audience member, you must be present in order to do so. Please be courteous to those who are speaking during public comment by refraining from commenting from the audience while others are speaking. Council may or may not answer questions during public comment.)

3. **ITEMS NOT FINISHED AT PREVIOUS MEETING:** None

\*4. **APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS:**

- A. [Reappointment of Kevin Smith to the At-Large Non Profit Position on the Community Development/Revenue Sharing Advisory Committee for a Three-Year Term to Expire March 15, 2020](#)

\*5. **SPECIAL DEPARTMENTAL REPORTS:**

- A. Special Reports from Manager & Staff:  
1. [Parking Garage Discussion and Potential Vote for Direction to Staff – City Manager](#)

\*6. **RECOMMENDATIONS ON CONTRACTS & BIDS:**

- A. [Recommendation to Approve Purchase and Sale Agreement – Rodney Dormitory Parcel for Primary Development of a Stormwater Facility \(Phase I Environmental Report\) \(Phase II Environmental Report\)](#)  
[DRAFT timeline for Project – Subject to Change](#)  
[Potential for Stormwater Improvements and public open space University of Delaware – Rodney & Dickenson – Highest and Best Use Appraisal](#)  
[City of Newark - Appraisal Rodney and Dickenson Properties](#)

- \*7. **FINANCIAL STATEMENT:** None

\*8. **ORDINANCES FOR SECOND READING & PUBLIC HEARING:**

- A. [Bill 17-04 – An Ordinance Amending the Comprehensive Development Plan by Changing the Designation of Property Located at 40 East Cleveland Avenue](#)
- B. [Bill 17-05 – An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from RD \(One Family Semi-Detached Residential\) to RM \(Multi-Family Residential – Garden Apartments\) 0.237 Acres Located at 40 East Cleveland Avenue](#)
- C. [Bill 17-06 – An Ordinance Amending Chapter 17, Housing and Property Maintenance, Code of the City of Newark,](#)

Delaware, By Updating Code Sections to Allow Private Certified Rental Property Maintenance Inspectors, to Allow Financial Credits if Such Inspectors are Used and to Clarify Certain Aspects of the City of Newark's Annual Rental Inspection Program

- D. [Bill 17-07 – An Ordinance Amending Chapter 20, Motor Vehicles, Code of the City of Newark Delaware, to Change Existing Yield Signs to Stop Signs at the Intersections of N. Fawn Drive and Blue Hen Ridge Drive and at S. Fawn Drive and Blue Hen Ridge Drive](#)
- E. [Bill 17-08 – An Ordinance Amending Chapter 20, Motor Vehicles, Code of the City of Newark, Delaware, Prohibiting the Use of Electronic Communication Devices on Bicycles](#)
- F. [Bill 17-09 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, to Change the Title of a Management Position](#)
- G. [Bill 17-10 – An Ordinance Amending the Amended Pension Plan for Employees of the City of Newark, Delaware, Regarding the Creation of a Pension Buyout Option](#)
- H. [Bill 17-11 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, to Provide for Adjustments to City Council and Mayor Compensation](#)

**\*9. RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:**

- A. [Request of Robert J. Bloser for a Minor Subdivision with Site Plan Approval In Order to Demolish the Existing Single Family Home at the Site and Construct a Three-Story Apartment Building with Parking on the First Floor and Three Five-Bedroom Apartments on the Two Floors Above on 0.237 Acres at the Property Located at 40 East Cleveland Avenue \(Subdivision Agreement and Resolution Attached\)](#)
- B. [Request of Lang Development Group for a Revision to the Approved Major Subdivision Agreement In Order to Change the Permitted Number of Unrelated Tenants in the Nine Three-Bedroom Units from Four to Five and to Change the Aggregate Number of Permitted Tenants from 92 to 101 at the Property Located at 21, 27, 39, 45 and 49 Center Street Known as the Lofts at Center Street \(Subdivision Agreement and Resolution Attached\)](#)

**\*10. ITEMS SUBMITTED FOR PUBLISHED AGENDA:**

- A. **Council Members:** None
- B. **Others:** None

**11. APPROVAL OF CONSENT AGENDA:**

- A. Approval of Council Minutes – February 13, 2017
- B. [Receipt of Alderman’s Report – February 10, 2017](#)
- C. [Approval of Polling Place Locations for the April 11, 2017 City Council Election](#)
- D. [Cancellation of April 10, 2017 City Council Meeting](#)
- E. [Receipt of 2016 Conservation Advisory Commission Annual Report](#)

**CONSENT AGENDA** – Those items on the Consent Agenda are considered routine and non-controversial and will be acted upon by a single vote of the Council. There will be no separate discussion of these items unless a member of Council so requests, in which event the matter shall be removed from the Consent Agenda and considered a separate item.

**RULES OF DECORUM** – City Council meetings shall be conducted in a fair and impartial manner that allows the business of the City to be effectively undertaken. Citizens, City staff and Council members alike must be allowed to state their positions in a courteous atmosphere that is free of intimidation, profanity, personal affronts, threats of violence, or the use of Council as a forum for politics. All remarks shall be directed to the City Council as a whole, not to City staff or to the public in attendance. Members of the public shall not approach the dais without first seeking and obtaining the permission of the Mayor or presiding officer. Warnings may be given by the Chair at any time that a speaker does not conduct himself or herself in a professional and respectful manner and anyone whose loud, defiant, threatening, personal, vulgar, uncivil or abusive language or behavior impedes the orderly conduct of a City Council meeting shall, at the discretion of the presiding officer, be barred from speaking further and may be ejected from the meeting.

**\*OPEN FOR PUBLIC COMMENT** – The above agenda is intended to be followed, but is subject to changes, deletions, additions, and modifications, as permitted under the Freedom of Information Act of the State of Delaware. The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 Del. C. Section 10004 (e)(2). Copies may be obtained at the City Secretary’s Office, 220 South Main Street, or online at [www.cityofnewarkde.us](http://www.cityofnewarkde.us).

**Agenda Posted – February 17, 2017**

Attest:

Sworn by:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Notary Public

(Seal)